1: Rattray E, G-5 (ca. 1920)1932
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he would ask the *Ten'dan'* and be given a place to build, or a place to farm. After the harvest of the early millet, they would send millet to give "water" to the groves, and so too, after the corn harvest. If blood came from any one, except from the nose, and fell upon the land, the *Ten'dan'* had to purify it. If Chiefs sold any man in exchange for cattle, the *Ten'dan* was given one to give to the land, but when people were sold in a time of famine in exchange for food it was not customary to give anything, but the land would be angry and kill a member of that family who had sold their kinsman, even (extending its vengeance) to a member of their daughter's family who had married far away. The land is a female and "above" is a male. When I sacrifice I call upon my father to "reach" his father who will "reach" the grove. Birth, crops, the getting of wives, good sleep, depend upon the land, who tells *Wen* (God). When two people were about to fight, and the *Ten'dan'* went to stop them, he would lay down his staff between them and no man might shoot arrows over that. The staff is a corn stalk. Any one who disregarded that would die. *Tobeg'* and *taku* have not anything to do with the *Ten'dan'*.

The Position of the Ten'dan' in Cases of Adultery, Theft, Murder, and Suicide.

Adultery: 'The head of the section settled such cases; it was not formerly a Chief's concern.'

Theft: 'In case of theft, the thief, if caught, would be taken to the one who "owned" (i.e. was responsible for) him, who would settle the matter. If the parties could not agree, the matter was taken to the head of the section, who would take it if necessary to the Chief. Since Europeans came we have the *Kambon-nab'*.'[2]

Murder: 'If a man from Nangoot was killed (murdered?) by a man from (say) Pelino, and the slayer was caught, he would be killed by those who chased him. Afterwards, the Pelino people would bring cows, and the people of Nangoot also, and give to the Chief who would then give some to the *Ten'dan'*, keeping the remainder to purify his skins. There is a hole below the skin on which a Chief sits for the blood to flow. The family who had had a member murdered did not receive anything. The Pelino people and the Nangoot people concerned would mix the flour and water which each will bring and make peace. Were the Pelino man, in such a case, to escape, and if the

[1] See Chapter XXVIII.

[2] According to the Chief, these officials were part of the old administration.

[Nankansi concepts apply to persons who have directly and indirectly committed a murder — Analyst]

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Nangoot people wished to make war on them, the *Ten'dan'* would stop them. The murderer will thus escape. The head Chief had not any power to tell the *Kambon-nab'* of the murderer's *teya* to hand him over, but he would bring cows and purify the land.

'When murderer and murdered man were from the same *teya* or same section, the murderer was not tried or killed, but he would have to leave the town. If he remained behind, and heard the funeral custom of his victim, or if he ate any food or drank any water in which the dead man's cloth had been dipped, he would die. His family would bring a cow, sheep, and goat to the Chief. The cow was handed to the *Ten'dan'*, who gave it to the land, saying, "A young rascal has destroyed, and they have brought their gifts, that I may receive and give you, that you may hide the sin, and that people may sleep (lit. that sleep may sleep), the corn bloom, child-bearing continue, and marriages be celebrated".

'A *Ten'dan'* was not allowed to ask the land to punish any one.[1] He could not do so; the land must not hate any one, but love all men alike, even murderers. The murderer would leave with his wife and family and never return. He might go to his in-laws; if he were ever to return, he would die, the *tobog'* of the murdered man would kill him.'[2]

Suicide (*Ko-fo-meya*): 'The family of the suicide took a cow, a sheep, and a goat and handed them to the Chief, who gave the cow to the *Ten'dan'* for the land. He sacrificed it, saying: "A man has made heart (i.e. got angry) and killed himself; that is finished, but a wife remains, a boy remains, let them sleep well; do not let this same thing return". A suicide had already spoken before birth; he had made a vow, he would die as a man, *buda kum*.'[3]

All important matters were discussed by the Chief, *Ten'dan'*, and section-heads.

Succession to Ten'dan': 'When a *Ten'dan'* died, and while his funeral custom was being made, they called a *bay* (soothsayer), meeting at the *zoy* hut, outside the compound, and, in the presence of the Elders, but not of the Chief, consulted and selected a new *Ten'dan'*. Any one might become *Ten'dan'* except any member of the Chief's family. A brother might succeed a brother.'[4]

[1] But see p. 376.

[2] There seems here a clear distinction between murdering or killing a clansman and a stranger.

[3] A natural death is often known as *bum pak kum* (a woman's death).

[4] This is not so among the Nankanse.

2: Fortes E-5 (1934-1937) 1945
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sunzɔp' by Tongo people, and they take the part of distant *sunzɔp* in their corporate relations with Tongo. Thus, an important funeral at Tongo always attracts a large contingent of Zoo people, and vice versa. When Doohraan, one of the senior elders of Tongo, died, Zoo turned out in full force to join in the celebrations that inaugurated the funeral. A cow was slaughtered as an offering to the departed, and when it was divided up the Zoodem proper received half a foreleg, as distant *sunzɔp*, the other half going to Zubiuŋ, as the closest unrelated neighbours of the Tongo lineage which was celebrating the funeral. On this occasion Zoo-Yiraaŋ sent a number of young men to swell the ranks of their *sunzɔp*, the Zoodem proper, so that they could make as grand a display as possible. They themselves cannot take part in a Tongo funeral as an independent unit. At the same time it is explicitly recognized that Zoodem proper are the *sunzɔp* of Tongo only by courtesy. They do not have the rights and duties of true clan *sunzɔp*. Tale social structure, highly determinate as it is, is flexible, and allows of such extensions of its basic principles. It allows the translation into the idiom of kinship and clanship of the ties of contiguity or of ceremonial or political solidarity. For the ties of clanship-by-courtesy recognized between Zoo and Tongo rest upon their spatial contiguity and political interdependence. The maximal lineage of Zoo proper has the custody of a special shrine connected with the chiefship of Tongo. According to their myth of origin, their founding ancestor performed the ritual services associated with this shrine for Mosuor when he was Chief of the Mamprusi and followed him to Tongo. These ritual services still vested in Zoodem proper form a strong bond between them and Tongo.

On the other hand, the fact that both groups are Namoos is an essential factor of their clanship-by-courtesy. By contrast the people of Zubiuŋ, who are as closely associated with Tongo spatially, politically, and by reciprocal ritual services, and, like the people of Zoo, always fought on the side of Tongo in the old days, are Talis, properly speaking; thus there is a stricter social separation between them and Tongo. They are not regarded as *sunzɔp*-by-courtesy by the latter; they refrain from the ritual or ceremonial activities of the people of Tongo in which Zoodem proper can and do take a part greater than that of mere spectators.

At the same time the genealogical and corporate independence of the people of Zoo proper, in relation to Tongo, is precisely marked. Neither group takes part in the cult of the lineage ancestors of the other; and if, for instance, in a funeral ceremony men of Zoo proper perform ritual services for a Tongo lineage, or vice versa, they do so because true clan *sunzɔp* are not present.

One infallible test of their differentiation from the clan of Mosuor biis is the fact that the two groups intermarry. Another is the rule about raiding. A generation ago, before the white man imposed the rule of his law, raiding (*ŋɔk*) was a common method of self-help in Taleland. It was the final resource of a man who wished to retrieve a debt owed to him by a member of another clan. If, for instance, a Tongo man owed a Wakii man cattle for a marriage he had contracted, and withheld payment unduly long or in bad faith, the latter would resort to self-help.

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He would set out one day with some of his close agnates, fully armed, and they would try to seize by stealth and drive off as many cattle and sheep belonging to any clansman of their debtor as they could lay their hands on. Thus they could seize live-stock belonging to any Tongo man. Or if the chance presented itself they could seize live-stock belonging to people of Yaməlag or Sie, and would answer protests by 'pointing to' (*paal*) their Tongo debtor. This was legitimate, but they could not legitimately seize cattle belonging to a Zoo man in settlement of a debt due to them from a Tongo man. The Zoo people would be entitled to take severe reprisals, for Zoo and Tongo have no ties of clanship. They 'marry one another's children (*ba diit taaba biis*)'. Men who were youths in those days, and who themselves took part in such adventures, usually cite these rules of *yɔk* when they are explaining the nature and ramifications of clanship ties.

The people of Zoo proper have not the same local, political, and ceremonial ties with Yaməlag or Sie, and are not regarded as *sunzɔp*-by-courtesy of these two communities. But Yaməlag and Sie feel more closely akin to Zoo than to their non-Namoo neighbours.

The ties between Tongo and Zoo influence their relations in innumerable ways. A census of Zoo shows that every Zoo family (including Zoo-Yiraaŋ) is related to Tongo either by cognatic or by affinal ties. Zoo men show a preference in marriage for women from Tongo, Yaməlag, or Sie, rather than women from other equally near settlements. Thirty-five (29 per cent.) of a large and representative sample (120) of Zoo wives are Tongo women; and if the Yaməlag and Sie women are added they make up together 56 (47 per cent.) of Zoo wives. I once heard a group of elders discuss this fact, of which the people of Zoo and Tongo are well aware. A Zoo man said, 'Tongo girls like marrying us because we are such diligent farmers and always have plenty of food'. The Tongo elders denied this, and protested that they gave their daughters to Zoo rather than to men of Wakii or Tenzugu because of the bonds between them. 'Would we not rather', said one of them, 'marry our daughters to you, or even to Zubiuŋ, or the more distant places that used to fight on our side, than to nearer settlements which were our enemies?' Because of these ties, too, it is a grave affront for a Zoo man to abduct a Tongo man's wife or vice versa, or for a member of one clan to marry the former wife of a man of the other.

Again, the people of Zoo proper through their political head, the Chief of Biuŋ, control the great annual hunt in the Kparəg bush. They are less strict in enforcing their rights to animals which fall to the weapon of a Tongo, Yaməlag, or Sie man, than to those killed by men from other places. There is greater co-operation and camaraderie between hunting parties from Zoo, Tongo, Yaməlag, and Sie than between any of them and parties from other settlements. When the Chief of Biuŋ sends round to announce the hunt, his messengers go to all the other Namoo chiefs in Taleland, who pronounce a blessing on the enterprise and send back fowls as a contribution to the sacrifices that will have to be made. Among them the blessing and contribution of the Chief of Tongo are regarded as the most important.

These relations between Tongo and Zoo are always a matter of degree

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to it; and nowadays the natives lay more stress on this than on the ancient glory of success in war. There was the mystical danger of reprisals from the spirit of one's victim (*gil*) following one all one's life. There was the hate created in the dead man's kin, agnates and extra-clan kin, including probably some of one's own clansmen or clansmen's wives. At best they might try to injure one by means of bad medicine; at worst it meant that one could never take part in a sacrifice or meal in which they shared. If one did, their hidden hatred had a mystical power to kill one. Nor did a man who had excelled in war derive any social, economic, or political advantage from it. It did not add to his wealth or give him more influence in the councils of the community. Soon even the fame of his prowess became dim, for it is bad form to talk publicly, during his lifetime, about the deeds of a man who has slain an enemy. It 'whitens (*pɛlag*)' him—that is, exposes him to the wrath of his victim's spirit which resents public comment on his defeat. A great fighter is praised in dirges and speeches after his death. But in the past, as now, it was the good farmer and not the bold fighter who was held up as the ideal of a worthwhile life.

Tallensi speak of fighting with weapons, for whatever reason, as one of the necessary evils of the old days. They look back without regrets on the passing of warfare. They regard the shedding of human blood, even in self-defence or in justifiable anger, as sinful. To kill a man in war was not homicide; one did not have to make heavy expiatory sacrifices to the Earth for it, yet one could never get rid of the blood taint (*ziem*). In 1936 two of the oldest men I knew died. There was much whispered talk about them. People pointed out that they had died in utter penury, lacking even a sheep for their grave-clout. Yet at different times in their long lives they had owned many cattle and had had several wives. Worse still, they had died leaving only one or two young children, the survivors of large families. Their lives had been tragically futile, by Tale standards. And why? Because they had both been redoubtable fighters in their young days; they had killed men in war; and this was the nemesis. All the animals they had sacrificed in expiation had been in vain, in the long run.

The most heinous sin of all was to instigate (*sa*) a war. It did not matter if the man had justice on his side. In the long run he paid for his sin with sickness and death, and the tale of misfortune might follow his descendants in the male line for generations. When Siiyɛlib died, the diviner consulted to find out the cause of his death revealed an unexampled story of misfortune going back twenty-five years. One after another, Siiyɛlib's wives and children had died; rinderpest had wiped out his cattle; and at last he himself had died without a son to mourn him and in extreme poverty. All this went back to his part in the Tong Hills Expedition of 1910–11, of which, the natives believe, he had been one of the prime instigators.

Before the arrival of the British the Tallensi, in common with their neighbours, had no judicial system. This was in keeping with their lack of a centralized form of government. As far as there was a 'rule of law'—that is, general observance of rights and obligations in property relations, in person-to-person relations, in intra- and inter-group relations subject

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to enforcement by explicit or implicit sanctions—it prevailed only within the clan or a cluster of closely interrelated clans, or between individual kinsfolk of different clans. Even so, every line of social cleavage was a source of weakness to the sanctions of right. It needed very little temptation or provocation for men of different clans or maximal lineages, however close the links between their respective groups, to lay violent hands on one another's property, person, or dependants. There was a general atmosphere of non-cognizance of rights *as such*. Times of crisis, such as famine, brought about a relapse into lawlessness.

In consequence the ultimate sanction of jural rights outside the clan was self-help. If a man could not recover a wife who had been abducted or a bride-price debt owing to him through the intermediation of the elders of his clan and those of the abductor's or debtor's clan, he had the right to use self-help and make a raid on the cattle of the offender's clan. This was legitimate and reprisals were not allowed. If the offender were to attempt any, his clansmen would not support him. But these raids might result in an armed clash with the cattle herds. Men might be killed; and then war flared up.

But raiding (*ŋɔk*), as a measure of self-help, in itself was not an act of war. It led to war if men were killed, but not if there were no bloodshed. Sometimes, even if a raid ended in an affray and men were killed, a reconciliation was made before an interclan fight could develop. The Tallensi distinguished precisely between raiding, as a method of self-help which they considered a legitimate jural device for redressing a wrong, and warfare. The custom of raiding reinforced warfare because it provided occasions for armed clashes and because of the habit of mind that lay behind it. Though this habit ran counter to the moral repugnance of the Tallensi to shedding human blood, it tolerated the use of violence as the proper ultimate means of asserting one's rights. This attitude still survives, to some extent. Men still carry their weapons when they go on a journey. Disputes over wives or unpaid debts sometimes bring the parties to the brink of a sanguinary fight. One reason why these fights are suppressed by the natives themselves before they become serious is the fear of the white man with his armed police in the background. Another and more powerful reason is the system of chiefs' tribunals and District Commissioners' courts imposed by the British. This judicial system has become an established part of native life. It has provided an effectively sanctioned alternative to self-help and made the latter obsolete (cf. p. 13). But in the past the attitude of mind we have described led the natives to think of warfare in its corporate aspect as a mechanism for redressing wrongs that could not otherwise be put right. Considering their lack of a single, all-embracing government and their segmentary social structure, it was inevitable that conflicts should often arise that could only be settled by fighting.[1]

[1] In this connexion it is worth noting that the Tallensi have only one term, *nabɔr*, for every kind of fighting, from a quarrel between co-wives to a war. But, in addition, war was distinguished by referring to it euphemistically as 'arrows' (*peema*). Thus a war is identified as 'the arrows of so-and-so', after its chief instigator.

3: Fortes E-5 (1934-1937) 1949
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members of two mutually exclusive corporate groups. That is why the lineages of husband and wife are implicated in the marriage and have a lasting interest in its course and in the offspring that come from it. Tale speech and etiquette reveal this, and the classificatory extension of affinal kinship depends on this. Thus if your friend's son or daughter has recently married, you do not ask him 'Whom did he (she) marry?', but 'Where (i.e. which clan) did he (she) marry?', and 'A child of whose house (i.e. what segment of the clan) did he (she) marry?'. We shall take up this thread again at a later stage of our analysis. At present we are concerned with the consequences for the relations of husband and wife of their divergent lineage ties.

The tension due to these opposing sets of social ties appears most acutely in the early stages of marriage, obviously as a result of the fact that marriage is an alliance between two genealogically independent corporate units with rival interests in the protagonists. Every marriage in which the husband is a young man begins as a struggle, carried on with many wiles, stratagems, pretexts, and even threats of or recourse to force. Firstly, the suitor has to compete with other young men whom his would-be bride and in-laws often play off astutely against him. The largest part of his courtship consists in winning over the girl's parents with frequent presents and soft words. To elope with her he must buy the secret connivance of her mother or brother, for her father will always stand out for a negotiated marriage. This is not only an acknowledgement of the father's right to dispose of his daughter's hand, but a guarantee of the consent of the bridegroom's guardian and lineage elders and hence of the payment of the bride-price on demand. It is a defeat for the bridegroom, who has to bow to the will of his father-in-law.

The real struggle begins, however, only after a man succeeds in carrying off his bride by elopement. If the elders on both sides tacitly accept the match as a good one, it becomes a matter of mere formality; but all the conventions of the jural transactions necessary to make a legitimate marriage are couched in the idiom of a struggle between hostile groups. That is why they must take place through an intermediary, the *pɔyasama*, a clansman of the bridegroom and a cognatic kinsman of the bride, bound to hold an even balance between the two parties by reason of his kinship with both.[1] But often enough the struggle turns into a genuine and sometimes acrimonious battle for the girl which may go on for weeks or months. It is then that the lack of a constituted legal system in Tale political organization makes itself felt. The girl's father resorts to all sorts of devices to coerce her abductors. He may use ritual pretexts, exploit ties of cognatic kinship with the abductors' lineage or clan, even, in extremity, threaten to kill himself on their doorstep, or, in the old days, to stir up war against their clan. I have been present at several violent altercations between a party of men

[1] Cf. pp. 317–18 below.